

Remarks

The specification has been amended to coincide with the amendments to the claims and to provide further explanation as to the meaning of the terms “processed information” and “data”. The added discussion relating to the ‘capturing of a signal having an instantaneous value’ is fully supported in various sections of U.S. Provisional Patent Application Serial No. 60/241,233. The subject patent application claims priority to and all the benefits of this provisional application. Hence, no new matter is being introduced.

Claims 1, 3-10, 12, and 14-47 remain in the application with claims 1 and 19 being in independent form. Claims 1, 3-7, 9-10, 12, 17-19, 28, 30, 32, 37-40, and 43 have been amended.

All pending claims stand rejected under 35 U.S.C. 102(b) as being anticipated by or under 35 U.S.C. 103 as being unpatentable over Antonov (U.S. Patent No. 5,884,046). As noted by the Examiner in the Response to Arguments section;

[t]here appears to be only one issue currently in dispute, the definition of the term “data”, and whether such a term is anticipated by the “messages” taught by Antonov.

Applicant agrees with the Examiner’s characterization of the issue and in an attempt to resolve these issues, the Applicant conducted an interview with the Examiner on November 3, 2006. As stated in the attached Interview Summary, Applicant discussed the overall functionality of the subject invention verses the functionality of Antonov. In addition, terms that could be used to differentiate the subject invention from the invention disclosed in Antonov were discussed. The Examiner agreed that the capturing of a signal having an instantaneous value, such as a measured value from the testing of a vehicle, is distinguishable from the ‘messages’ of Antonov. Applicant has therefore amended the independent and dependent claims to replace the term “data” with the term ‘instantaneous value’ to distinguish the claimed invention from the prior art of record, including Antonov. The instantaneous value, as defined in the independent claims, is found in a signal captured by a processor during the processing of information.

Accordingly, Applicant contends that independent claims 1 and 19, as amended, are distinguished over Antonov such that the rejections of these claims is believed overcome. The remaining claims depend from the unique features of claims 1 or 19 such that these claims are also distinguished over Antonov.

It is respectfully submitted that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited. The Commissioner is authorized to charge our Deposit Account No. 08-2789 for any fees or credit the account for any overpayment.

Respectfully submitted,

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